

USSN: 09/560,170

Attorney Docket No.: 117-P-1345US01

**Remarks**

Claims 20 and 41 have been amended to recite a strippable resilient flooring laminate finish "renewal" system. Antecedent basis for this amendment may be found in the written description at, e.g., page 1, lines 14 and 32. Claims 45 and 46 have been rewritten in independent form including all the limitations of base claim 41 as requested by the Examiner.

Applicants thank the Examiner for extending to the undersigned attorney the courtesy of an in-person interview on Thursday, March 17, 2005. Agreement as to the rejected claims was not reached, but applicants were asked to summarize their arguments in writing. The substance of the interview involved the pending claims, the references cited in the Final Rejection and the arguments presented below.

Claims 1-51 are pending, with claims 1-19 and 28-38 having been withdrawn from consideration.

**Rejection of Claims 20, 22-24, 27, 39, 41-44  
and 47-51 under 35 USC §102(b)**

Claims 20, 22-24, 27, 39, 41-44 and 47-51 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,421,782 (Bolgiano et al.). In their Example I (a comparison example), Bolgiano et al. coat an individual tile with a nonaqueous UV-curable layer (see e.g., col. 5, lines 5-46) and UV cure the coating by passing the coated tile (apparently using a conveyor belt) under medium pressure mercury lamps at a speed of 10 ft/min (see e.g., col. 5, lines 46-53). In Example II, before carrying out the UV curing step, Bolgiano et al. immerse or dip the Example I coated tile in an aqueous mixture of acrylic acid, water, and surfactant but no photoinitiator (see e.g., col. 6, lines 9-10, 31-34 and 53-57; cf. col. 4, lines 43-46). Bolgiano et al. then pass the resulting "wet-on-wet" coated tile under the mercury lamps to carry out UV curing of the lower nonaqueous layer (see e.g., col. 6, lines 10-31). Bolgiano et al.'s top aqueous layer is not a "polymerizable waterborne topcoat" as recited in rejected system claims 20, 22-24, 27, 39 or 49-51, and is not a "polymerizable topcoat ... comprising water as a diluent" as recited in rejected system claims 41-44, 47 or 48. Bolgiano et al. say that the lower nonaqueous layer is UV cured and that some acrylic acid from the upper layer may diffuse into and copolymerize with the polymerizable components in the lower nonaqueous layer (see e.g., col. 6, lines 27-31). Bolgiano et

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al. do not say that the top aqueous layer is polymerizable and in fact say that excess aqueous coating material was washed away after the UV cure step (see e.g., col. 6, lines 13-14).

Bolgiano et al. describe a coating system for use on new unfinished tiles (e.g. in a factory), not a system in first and second containers for use in floor finish renewal (e.g., on an installed floor).

Bolgiano does not anticipate claims 20, 22-24, 27, 39, 41-44 or 47-51. Applicants accordingly request withdrawal of the rejection of claims 20, 22-24, 27, 39, 41-45 and 47-51 under 35 USC §102(b) as being anticipated by Bolgiano et al.

#### **Rejection of claim 21 under 35 USC §103**

Claim 21 was rejected under 35 USC §103(a) as being unpatentable over Bolgiano et al. in view of Published PCT Application No. WO 94/22965 (Koreltz et al.). Claim 21 recites a system according to claim 20, further comprising a strip agent. As discussed above, Bolgiano et al. do not show the claim 20 system. Combining Koreltz et al.'s stripper with Bolgiano et al.'s wet-on-wet factory coating system would not provide the claim 21 system. Applicants accordingly request withdrawal of the rejection of claim 21 under 35 USC §103(a).

#### **Conclusion**

Applicants have made an earnest effort to overcome the rejections. Applicants' laminate finish systems are not shown or suggested by Bolgiano et al. or Koreltz et al., whether taken alone or in any proper combination.

Passage of the application to the issue branch is respectfully requested. The Examiner is encouraged to telephone the undersigned attorney if there any questions regarding this application or any suggestions which might resolve outstanding issues.


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